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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VINCENT, SEAN E

ART UNIT

PAPER NUMBER

1731

DATE MAILED: 06/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/831,705

Applicant(s)

PELTONEN, ESKO

Examiner

Sean E Vincent

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: page 2, lines 1-2 "Characteristic for the invention is what is presented in the claims" ; page 3, lines 3-7 "When glass sheet 10b and mould carriage 8b are on the lift section lower rail, the transmitter, whose turn it is, e.g. device 5, collects glass sheet 10b and the mould pulling them to the side station onto transmitter 5." ; and 14-17 " Transmitter 6 that has lastly brought a glass sheet takes the from first at section 1 arrived carriage 8c a mould and a glass sheet 10c and pulls the glass sheet aside for replacement."; page 5, line 7-10 " Among other things, the control of the timing of transmitter 5 and 6 functions can be made automatic and synchronous with the shit over of mould carriages from section 2a to section 1." Appropriate correction is required.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 9e (See spec, page 3, line 11) . A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
6. Claim 1 recites the limitation "the bending section" in line 6. There is insufficient antecedent basis for this limitation in the claim. Other examples of terms lacking antecedent basis in claim 1 are: line 7: "the loading and unloading end", lines 11 and 12: "the first side station" and "the second side station".
7. Claim 1 is further indefinite because it is unclear whether "lift section" from line 16 is the same as the loading and unloading end. Likewise, it is unclear whether "one and the same loading section" in line 20 is the same as the loading and unloading end?
8. Claim 1 is further indefinite because it is unclear how the rail or the special rail circulates through the bending section and returns to the loading and unloading end. Two rails appear to be present in figure 1 and they appear to be stationary.
9. Claim 1 is further indefinite because it is unclear how molds are shifted into carriages while the carriages are able to continue moving forward. The mould transmitters do not appear to move forward with the carriages.
10. Claim 3 is indefinite because it is unclear whether the transmitters are collected or the transmitters collect the molds.

11. Claim 5 recites the limitation "the former section" in line 2. There is insufficient antecedent basis for this limitation in the claim.
12. Claim 6 recites the limitation "the former section" in line 2. There is insufficient antecedent basis for this limitation in the claim.
13. Claim 6 recites the limitation "the preceding section" in line 3. There is insufficient antecedent basis for this limitation in the claim.
14. Claim 4 is indefinite because the drawings seem to contradict the claims statement that the mould carriages are guided from the former section to the lift section. The arrows indicate movement in the opposite direction.
15. Claim 5 is indefinite because the drawings seem to contradict the claims statement that the mould carriages are guided from the former section and the preceding section to the lift section. The arrows indicate movement in the opposite direction.
16. Claim 5 is further indefinite because the terms "former" and "preceding" seem to suggest the order of sections, not that one of the sections is a glass forming or bending section.

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
18. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peltonen (US 4497645) in view of Fecik et al (US 5320661).

19. Peltonen teaches glass bending furnaces wherein molds are carried in mold carriages through several stations on a first rail, lowered to a second rail and carried back to the loading and unloading end where carriages are loaded and unloaded from a single station on the end of the furnace (see abstract and figures). Peltonen does not teach first and second side stations for loading and unloading carriages or mold transmitters. Fecik et al taught a glass bending apparatus utilizing a conveyor for glass sheets offloading on alternate sides to glass forming stations (see figures and col. 1, line 51 to col. 2, line 36). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to move loading and unloading means from the end of the furnace to the sides of the furnace of Peltonen because Fecik et al taught that unloading to alternate sides increased the speed of transfer from the single conveyor to later processing stations.

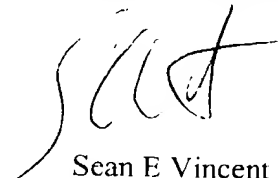
***Allowable Subject Matter***

20. Claims 2-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

21. The following is a statement of reasons for the indication of allowable subject matter: The prior art does not teach first and second side stations with associated mold transmitters for loading and unloading glass sheets to a furnace like that of Peltonen. While a suggestion to move loading and unloading means from the end of the furnace to alternate sides could have been drawn from Fecik et al, further specific structures of the claimed side stations would not have been obvious additions.

*Conclusion*

22. The prior art made of record and not relied upon is cited to further show the state of the art.
23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean E Vincent whose telephone number is 703-305-3607. The examiner can normally be reached on M - F (8:30 - 6:00) Second Monday Off.
24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P Griffin can be reached on 703-308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.
25. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.



Sean E Vincent  
Primary Examiner  
Art Unit 1731

S Vincent  
June 21, 2003